

**TWENTY-NINTH LEGISLATIVE DAY  
MONDAY, FEBRUARY 3, 2003**

Governor  
/s/ BEN YSURSA  
Secretary of State

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused -- Schaefer(Schaefer). Total -- 1.  
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Kristen Jackson, Page.

**Approval of Journal**

February 3, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-sixth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

**CERTIFICATE OF APPOINTMENT**

KNOW ALL MEN, by these Presents that Robert E. Schaefer, State Representative, District 12, House Seat A, Canyon County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Mrs. Betty Schaefer, of Nampa, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Mrs. Betty Schaefer, Acting State Representative, District 12, House Seat A, Canyon County, State of Idaho, for a term commencing on February 3, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 30th day of January in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Schaefer.

January 31, 2003

Mr. Speaker:

I return herewith **H 75**, **H 79**, and **H 80** which have passed the Senate.

WOOD, Secretary

**H 75**, **H 79**, and **H 80** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

February 3, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 137** and **H 138** and House amendments to **H 13**, **H 61**, and **H 3**.

FIELD(18), Chairman

**H 137** and **H 138** were referred to the Transportation and Defense Committee.

January 31, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 13**, as amended, **H 61**, as amended, and **H 3**, as amended.

FIELD(18), Chairman

**H 13**, as amended, **H 61**, as amended, and **H 3**, as amended, were filed for first reading of engrossed bills.

January 31, 2003

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 89** and **H 112** and report them back with amendments attached to be placed on General Orders for consideration.

DEAL, Chairman

**H 89** and **H 112** were placed on General Orders for consideration.

January 31, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1001** and recommend that it do pass.

FIELD(18), Chairman

**S 1001** was filed for second reading.

**H 128** held at the Desk January 30, 2003, was referred to the Ways and Means Committee.

There being no objection, the House advanced to the Ninth Order of Business.

### First Reading of Engrossed Bills

**H 13**, as amended, by Mr. Speaker, requested by Board of Examiners, was introduced, read the first time by title and filed for second reading.

**H 61**, as amended, by Mr. Speaker, requested by Department of Insurance, was introduced, read the first time by title and filed for second reading.

**H 3**, as amended, by Clark, was introduced, read the first time by title and filed for second reading.

### Second Reading of Bills and Joint Resolutions

**H 103** and **H 104**, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**H 88** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Barrett to open debate.

The question being, "Shall **H 88** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydall, Salyer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Black, Sali, Schaefer(Schaefer). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 88** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 114** retain its place on the Third Reading Calendar for one Legislative Day.

There being no objection, it was so ordered.

**HJM 1** was read the third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **HJM 1** be adopted?"

Whereupon the Speaker declared **HJM 1** adopted by voice vote and ordered the memorial transmitted to the Senate.

**H 35** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **H 35** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydall, Sali, Salyer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Black, Schaefer(Schaefer). Total -- 2. Total -- 70.

Whereupon the Speaker declared **H 35** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 7** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **H 7** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydall, Sali, Salyer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson,

Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 64.  
NAYS -- Clark, Henbest, Kulczyk, Smith(24). Total -- 4.  
Absent and excused -- Black, Schaefer(Schaefer). Total -- 2.  
Total -- 70.

ATTEST:  
PAMM JUKER, Chief Clerk

Whereupon the Speaker declared **H 7** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 52** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **H 52** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Bieter, Langhorst. Total -- 2.  
Absent and excused -- Schaefer(Schaefer). Total -- 1.  
Total -- 70.

Whereupon the Speaker declared **H 52** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**SCR 101** was read the third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) to open debate.

The question being, "Shall **SCR 101** be adopted?"

Whereupon the Speaker declared **SCR 101** adopted by voice vote and ordered the resolution returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Denney moved that the House adjourn until 11 a.m., Tuesday, February 4, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:44 a.m.

BRUCE NEWCOMB, Speaker